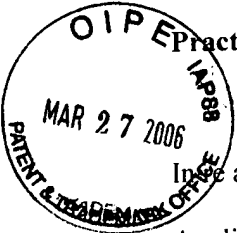


IPW



Practitioner's Docket No. 1062/D46

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Russell Beavis, Larry B. Gray and David J. Howlett

Application No.: 10/670,924

Group No.: 3743

Filed: 09/25/2003

Examiner: Patel, Mital B.

For: Valve System and Method for Aerosol Delivery

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment, a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending "Reference" Application and a Supplemental Information Disclosure Statement for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[X] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

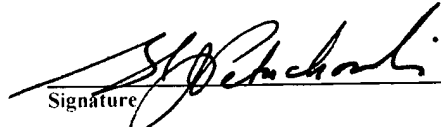
[X] with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office. (571) 273 - 8300.

  
Signature

Date: March 23, 2006

Samuel J. Petuchowski  
(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

#### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

|   | (Col. 1)                                  | (Col. 2)                              | (Col. 3)         | OTHER THAN A SMALL ENTITY |               |  |  |
|---|---|---------------------------------------|------------------|---------------------------|---------------|--|--|
|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA | RATE                      | ADDIT.<br>FEE |  |  |
| TOTAL                                     | 3   | — 20                                  | = 0              | x \$ 50.00                | = \$ 0.00     |  |  |
| INDEP.                                    | 2   | — 3                                   | = 0              | x \$ 200.00               | = \$ 0.00     |  |  |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |                                       |                  | + \$ 0.00                 | = \$ 0.00     |  |  |
|   |   |                                       |                  | TOTAL<br>ADDIT. FEE       | \$ 0.00       |  |  |

No additional fee for claims is required.

5. **DISCLAIMER FEE (37 C.F.R. § 1.20(d))**

Large entity fee \$130.00.

6. **FEE PAYMENT**

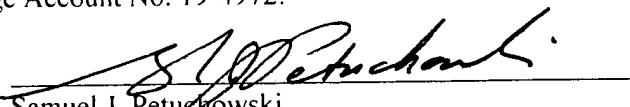
A check in the amount of \$310.00 for payment of the Disclaimer Fee and the Submission of an Information Disclosure Statement is enclosed

#### FEE DEFICIENCY

7. If an extension and/or fee is required, charge Account No. 19-4972.

If a fee for claims is required, charge Account No. 19-4972.

Date: March 23, 2006

  
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U.S.  
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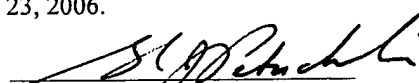
THE UNITED STATES PATENT AND TRADEMARK OFFICE

|               |   |               |                 |
|---------------|---|---------------|-----------------|
| Applicant:    | Beavis et al.                                       | Att'y Docket: | 1062/D46        |
| Serial No:    | 10/670,924  | Conf. No.     | 6527            |
| Date Filed:   | September 25, 2003                                  | Art Unit:     | 3743            |
| Customer No.: | 02101   | Examiner:     | Patel, Mital B. |
| Invention:    | <b>Valve System and Method for Aerosol Delivery</b> |               |                 |

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**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Box Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 23, 2006.

  
Samuel J. Petuchowski

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Mail Box Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO THE OFFICE ACTION OF FEBRUARY 8, 2006**

Dear Sir:

In response to the Office Action dated February 8, 2006, Applicants submit the following amended specification, drawing, claims, and remarks.

**Claim Amendments and a Listing of Claims** begin on page 2 of this paper.

**Remarks** are presented on page 4 of this paper.